

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,	:	Case No. 3:18-CV-366
Plaintiff,	:	
v.	:	JUDGE WALTER H. RICE
	:	Magistrate Judge Sharon L. Ovington
ONE HUNDRED NINETY-ONE	:	
THOUSAND, ONE HUNDRED THIRTY-	:	
FIVE DOLLARS IN UNITED STATES	:	
CURRENCY (\$191,135.00), et al.,	:	
Defendant.	:	

ORDER

This matter is before the Court on the parties' Joint Motion for Stay of Civil Forfeiture Proceeding. (Doc. 10.) The parties seek a stay of the above-captioned case pending resolution of a related criminal case pursuant to 18 U.S.C. § 981(g). That statute provides, in relevant part:

(g)(1) Upon the motion of the United States, the court shall stay the civil forfeiture proceeding if the court determines that civil discovery will adversely affect the ability of the Government to conduct a related criminal investigation or the prosecution of a related criminal case.

(2) Upon the motion of a claimant, the court shall stay the civil forfeiture proceeding with respect to that claimant if the court determines that –

(A) the claimant is the subject of a related criminal investigation or case;

(B) the claimant has standing to assert a claim in the civil forfeiture proceeding;
and

(C) continuation of the forfeiture proceeding will burden the right of the claimant against self-incrimination in the related investigation or case.

18 U.S.C. § 981(g).

The parties represent that there is a criminal case related (Case No. 3:18-CR-079) to this civil forfeiture proceeding. (Doc. 10 at 3-4.) The United States represents that civil discovery in this case will adversely affect the prosecution of a related criminal case. (*Id.* at 3.) Claimants Michael Busch and Busch's Country Corner, Inc. represent that they are the subjects of a related criminal case and that continuation of this forfeiture proceeding will burden their rights against self-incrimination in the related case. (*Id.* at 4.)

For good cause shown, the Joint Motion (Doc. 10) is **GRANTED**. The Court hereby **STAYS** the entirety of the above-captioned civil forfeiture proceeding until the conclusion of the related criminal case. The parties are **DIRECTED** to file a notice with this Court within fourteen (14) days of the resolution of the related criminal case. The claimants are **DIRECTED** to file their answers with this Court, as necessary, within twenty-one (21) days of this Court lifting the stay.

IT IS SO ORDERED.

Dated: 1-14-19



WALTER H. RICE
UNITED STATES DISTRICT JUDGE